

**Notice of Allowability**

Application No.

10/021,125

Applicant(s)

DOLAZZA, ENRICO

Examiner

Dennis Rosario

Art Unit

2621

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amt. 3/9/2005.
2. ☒ The allowed claim(s) is/are 1-4, 7-18, 21-29 and 32-38.
3. ☒ The drawings filed on 30 October 2001 and 09 March 2005 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*[Signature]*  
STEPHAN MANCUS  
PRIMARY EXAMINER

## **DETAILED ACTION**

### ***Response to Amendment***

1. The amendment was received on March 9, 2005. Claims 1-4, 7-18, 21-29, 32-38 are pending.

### ***Drawings***

2. Due to the amendment, the objection to figures 2 and 5 is withdrawn.

### ***Response to Arguments***

3. Applicant's arguments, see amendment, page 10, second to last paragraph, filed 3/9/2005, with respect to claims 1, 15 and 29 have been fully considered and are persuasive. The rejection of claims 1, 15 and 29 has been withdrawn.

### ***Allowable Subject Matter***

4. Claims 1-4, 7-18, 21-29, 32-38 are allowed.

Regarding claims 1, 15 and 29, applicants properly point out, stating on page 10, second to last paragraph, "...the reference does not show or suggest scaling factors that can vary as a function of time so as to sweep a passband having a predetermined bandwidth across the overall frequency range, such that image components characterized by frequencies within the passband are enhanced or passed without substantial attenuation, '." Hence, and in view of applicants arguments, amendment and in combination with all of the other elements of the claims, claims 1, 15 and 29 are allowable over the closest prior art of Bonneau et al. (US Patent 5,870,502). Thus the respective dependent claims are allowable.

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6. Deutsch (US Patent 3,956,960 A) is pertinent as teaching a scaler in fig. 14, num. 163 with relative amplitudes as shown in figs. 13 and 15, but the Deutsch reference does not teach or suggest the claimed image pixel.

7. Benson (US Patent 4,874,992 A) is pertinent as teaching a method of sweeping as a function of time as shown in fig. 2 using a "scale factor" in col. 8, line 51, but the Benson reference does not use sweeping with the claimed pass-band.

8. Jeffryes (US Patent 6,519,533 B1) is pertinent as teaching in fig. 16 a method of scaling 716 with bands 710-714 that are obtained with filters that operate in the time domain for "amplitude scaling" in col. 10, lines 9,10, but the scaling does not "vary as a function of time" as claimed. Instead, the scaling is the "same" in col. 10, line 9 for all "bands" in col. 10, line 8.

Takano et al. (US Patent 5,579,463 A) is pertinent as teaching a method of a sweep controller in fig. 3A, num 16 that uses scaling or enlarging in fig. 1, num. U40 as a function of time, but the Takano et al. reference does not teach or suggest the limitation the claimed "spatial filter that receives the image pixels and produces a filtered output representative of the spatial frequency components of the pixels." Instead, the Takano et al. reference teaches a band pass filter in fig. 34, num. 1c that operates only in the frequency domain and receives "measured [signals]" in col. 1, line 25 from a "circuit element" in col. 1, line 26 that are later converted to data points via fig. 34, num. 2 and stored in 3 of fig. 34. Thus, the Takano et al. reference is doing the opposite of the claimed "spatial filter that receives the image pixels and produces a filtered output representative of the spatial frequency components of the pixels."

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis Rosario whose telephone number is (571) 272-7397. The examiner can normally be reached on 6-3.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Mancuso can be reached on (571) 272-7695. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2621

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DR  
Dennis Rosario  
Unit 2621

*Supery*  
J. M. MANCINI  
MARY EXAMINER